

1 STATE OF NEVADA
2 LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
3 RELATIONS BOARD
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5 RONALD G. TAYLOR, TANYA ABEL,)
6 JOANNE BARNES, DONNA BENSON,)
7 RON BLOOM, PATTYBRAY, RICHARD)
8 DALLAS, KARA DEAN, SHAUENE)
9 EDWARDS, MARY BETH FRANTA,)
10 ELIZABETH A. GOODMAN, SUSAN)
11 GUNN, MICHAEL HARRISON, PHIL)
12 HOFFMAN, JACKIE JOHNSON,)
13 GEANNITTA M. JONES, CYNTHIA LANG,)
14 SHERRY MELDER, ERICKA NYGARD,)
15 DEJON NYGARD, KENT T. REARDON,)
16 VICKI SILVERNAIL-SMITH, SUE)
17 STODDARD, ROBIN VIRCSICK,)
18 RICHARD WHITNEY, DONNA D.)
19 WILLIAMS, AND COLIN WILSON,)

ITEM NO. 693

CASE NO. A1-045942

ORDER

Complainant,

vs.

14 CLARK COUNTY EDUCATION)
15 ASSOCIATION (CCEA), CLARK COUNTY)
16 SCHOOL DISTRICT, AND CLARK)
17 COUNTY SCHOOL BOARD OF)
18 TRUSTEES,)

Respondent.

19 For Complainant: Ronald G. Taylor

20 For Respondents: Francis C. Flaherty
Dyer, Lawrence, Penrose, Flaherty & Donaldson

21 C.W. Hoffman, Jr., Esq.
22 Clark County School District

23 On November 18, 2008, this matter came before the Local Government Employee-
24 Management Relations Board ("Board") for discussion, deliberations, and decision. This matter
25 was noticed pursuant to NRS and NAC chapters 288, as well as Nevada's Open Meeting Laws
26 and NRS chapter 233B.

27 On September 10, 2008, a complaint was filed by Ronald Taylor, Tanya Abel, Joanne
28 Barnes, Donna Benson, Ron Bloom, Patty Bray, Richard Dallas, Kara Dean, Shauene Edwards,

1 Mary Beth Franta, Elizabeth A. Goodman, Susan Gunn, Michael Harrison, Phil Hoffman, Jackie
2 Johnson, Geannita M. Jones, Cynthias Lang, Sherry Melder, Ericka Nygard, Dejon Nygard, Kent
3 Reardon, Vicky Silvernail-Smith, Sue Stoddard, Robin Vircsick, Richard Whitney, Donna
4 Williams, and Colin Wilson, against the Clark County School District ("School District"), the
5 Clark County School Board of Trustees ("Trustees"), and the Clark County Education
6 Association ("Association"). The Complaint alleged prohibited labor practices by the School
7 District, the Trustees, and the Association, relating to the assessment of a mandatory fee on all
8 current bargaining unit employees and the Association's alleged breach of its duty to represent
9 the bargaining unit employees.

10 On October 2, 2008, the School District and Trustees filed a Motion to Dismiss, claiming
11 that they did not violate any provisions of NRS chapter 288 and that the complainants did not
12 comply with the Board's regulations regarding the information required in a complaint. On
13 October 6, 2008, the Association filed a Motion to Dismiss, arguing among other arguments that
14 the complaint is not verified by all complainants, that only one individual signed it, and that
15 person is not an attorney. The Association also claimed that the lawsuit is frivolous and that
16 there are no justiciable controversies. The Complainants in this matter filed one opposition on
17 October 16, 2008. The School District and the Trustees filed their reply points and authorities on
18 October 27, 2008, and the Association filed their reply authorities on November 3, 2008.

19 **BASED UPON** the arguments raised in the documents filed with the Board, **IT IS**
20 **HEREBY ORDERED** that the Association's motion to dismiss is **GRANTED** without prejudice.
21 All complainants must sign and verify the complaint should it be refiled.

22 **BASED UPON** the arguments raised in the documents filed with the Board, **IT IS**
23 **HEREBY ORDERED** that the motion to dismiss filed by the School District and the Trustees is

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